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The distinction between personal and civil liberty employed by Mr. Freund will hardly be favored by those who have been disposed to identify the two, making personal liberty a sub-head of civil liberty, as it is secured by the Constitution of the United States. In considering state liquor regulation the leading case, *In re Rahrer*, receives but a single reference, and that only in the foot note, and it is not called up again in any other connection. In view of the astounding doctrine enunciated by this case, and what possibly is or may be its very great effect on the state police power, this seems cavalier, not to say inadequate, treatment. Mr. Freund has strong views upon strike and anti-trust legislation. He is of the opinion that "the prohibition of strikes cannot be regarded as exceeding the limits of legislative power, as long as the anti-trust acts are upheld as constitutional." For he says—and his statement here would not be gently handled by those economists who refuse to identify labor and goods—"It is impossible to say that there is such difference between the price of labor and the price of other commodities, that agreements to raise the former are beyond the legislative power of prohibition, while agreements to raise the latter are subject to it." In view of the majority opinion in the Slaughter House Cases, we question the fairness of the statement with which the third part opens, the statement that "the Fourteenth Amendment has given to liberty, property and equality the highest protection of which rights are capable under our system of government, and has thus stamped them as the fundamental rights of the individual." Is it not true that the protection of the Fourteenth Amendment is not so specific and certain, not so thoroughly safe guarded, as that afforded by the first eight amendments, hence is not so "high" a protection, and that the first eight amendments, it extended to cover process of law in the states, would be the "highest protection"?

In many hundred details Professor Freund throws a most welcome light upon points that have long remained in mere obscurity. Witness his discussion of compulsory vaccination, of the police power of the federal government, of the relation of restraint of trade to competition, etc. In view of Justice Holmes' recent pronouncement upon this latter matter, as given in the Northern Securities case, one may well turn to Mr. Freund's pages at this place, and perhaps recover his shaken equilibrium. The debt of obligation for this full, careful, and admirably constructed and printed work is no small one. It fills not one of the minor vexing wants, but a want of great and grave importance.

STREET RAILWAY REPORTS. Vol. I. Frank B. Gilbert. Albany: Matthew Bender & Co. 1904. pp. xvi, 943.

This purports to be the first of a series of volumes collecting all the cases decided in the Federal courts, in the courts of last resort of all the States, and the important cases decided in lower courts of original or appellate jurisdiction from April 1, 1903, relating in any way to the management, operation, or control of street railways, and the rights, duties, and liabilities of street railway companies. The editor has further annotated the more important cases, discussing the principles involved and citing cases.

This collection should prove useful to the country practitioner who has not available a library such as those open to the metropolitan lawyer. The latter will not, however, find the series useful in any other field than that served by the digest, for if he be a careful brief maker he will prefer to make his own explorations for material. Its usefulness even as a digest is perforce limited to the time subsequent to April a year ago.

The reviewer, practicing as a counsel for railway interests has never made any practical use of similar collections of cases upon steam railroads and very much doubts whether there is any great need for such publications. The annotations are necessarily too brief to be exhaustive or of any great assistance to one in making up his brief or argument.

HANDBOOK OF THE LAW OF WILLS. George E. Gardner. St. Paul, Minn. : West Publishing Company. 1903. pp. xv, 726.

This is the twenty-fourth volume in the Hornbook Series and will not suffer from comparison with those heretofore published. The special features of this series are too well known to require comment and must have commended themselves to a large number of legal students and lawyers, or new volumes, upon topics already well-treated in recent works, would not continue to issue from the press of a company of such standing, and one so ready to respond to the demands of the profession ; yet the defects in Professor Gardner's work arise, in great measure, from these very characteristics. That the author has given much time, thought and careful study to its preparation is evident ; and that the result is a clear and accurate presentation of the law on the subject is gladly acknowledged if such acknowledgment is understood to be based upon the work as a whole, and not upon the statements contained in the black-letter text, which, it is submitted are in a number of instances quite misleading, and in others neither altogether complete nor accurate.

These defects in the black-letter statements of leading principles are, however, seldom due to lack of care, or of clearness of thought or style on the part of the author, but are almost unavoidable where there is a decided difference between the decisions of a large number of courts of equal authority, or where, as is especially true in the law of wills, statutes have greatly modified the law in a majority of jurisdictions, while in others there is an absence of similar legislation, or where there is quite a difference in the wording of the statutes of different States relating to the same subject. As an illustration may be cited the black-letter statement as to the effect of probate (§ 97) which certainly does not represent the law in a number of the United States, although it does in the majority.

As instances of statements which one is tempted to criticise, and where the defects do not arise from the causes above indicated, attention may be called to the following : The book opens with this definition. "A will is the expression, in the manner required by law, and operative for no purpose until death, of that which one may lawfully require to be done after his death." Inasmuch as the author says that "The above definition of a will is offered for what it is worth," and acknowledges that "An experiment at definition is dan-